

PART 531—WAGE PAYMENTS UNDER THE FAIR LABOR STAND- ARDS ACT OF 1938

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75 Stat. 65; sec. 101, 80 Stat. 830; 29 U.S.C. 203
(m) and (t).

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otherwise noted.

Subpart A—Preliminary Matters

§ 531.1 Definitions.

(a) *Administrator* means the Adminis-
trator of the Wage and Hour Division
or his authorized representative. The
Secretary of Labor has delegated to the
Administrator the functions vested in
him under section 3(m) of the Act.

(b) *Act* means the Fair Labor Stand-
ards Act of 1938, as amended.

§ 531.2 Purpose and scope.

(a) Section 3(m) of the Act defines
the term “wage” to include the “rea-
sonable cost”, as determined by the
Secretary of Labor, to an employer of
furnishing any employee with board,
lodging, or other facilities, if such
board, lodging, or other facilities are
customarily furnished by the employer
to his employees. In addition, section
3(m) gives the Secretary authority to
determine the “fair value.” of such fa-
cilities on the basis of average cost to
the employer or to groups of employers
similarly situated, on average value to
groups of employees, or other appro-
priate measures of “fair value.” When-
ever so determined and when applica-
ble and pertinent, the “fair value” of
the facilities involved shall be includ-
able as part of “wages” instead of the
actual measure of the costs of those fa-
cilities. The section provides, however,
that the cost of board, lodging, or
other facilities shall not be included as
part of “wages” if excluded therefrom
by a bona fide collective bargaining
agreement. Section 3(m) also provides
a method for determining the wage of a
tipped employee.

(b) This part 531 contains any deter-
minations made as to the “reasonable